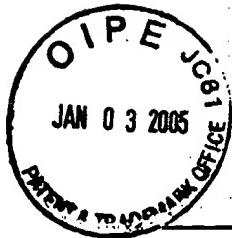


01/05/05

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B



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Andrew Shyjan

Serial No.: 09/528,031

Filed: March 17, 2000

For: *Novel Multidrug Resistance-Associated Polypeptide*

Attorney Docket No.: MNI-056CPCN

Group Art Unit: 1642

Examiner: HUFF, Sheela Jitendra

MS Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATION UNDER 37 CFR 1.10

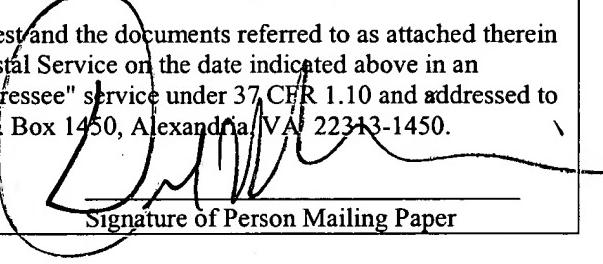
Date of Deposit: January 3, 2005

Mailing Label Number: EV 465 007 922 US

I hereby certify that this 37 CFR 1.53(b) request and the documents referred to as attached therein are being deposited with the United States Postal Service on the date indicated above in an envelope as "Express Mail Post Office to Addressee" service under 37 CFR 1.10 and addressed to MS Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Debra J. Milasincic, Esq.

Name of Person Mailing Paper


Signature of Person Mailing Paper

RESPONSE TO NOTICE OF DRAWING INCONSISTENCY WITH SPECIFICATION

Dear Sir:

In response to the Notice of Drawing Inconsistency with Specification dated December 3, 2004, enclosed please find copies of Figures 1A-G and 2A-F.

The Notice sets forth that the drawings received on March 17, 2000 do not contain Figures 2D-F. However, Applicant submits that a full set of formal drawings was submitted on May 8, 2002 and does not appear to have been scanned into the electronic file wrapper in PAIR. Applicant submits herewith a copy of the Submission of Formal Drawings dated May 8, 2002 including a date-stamped post card indicating that the

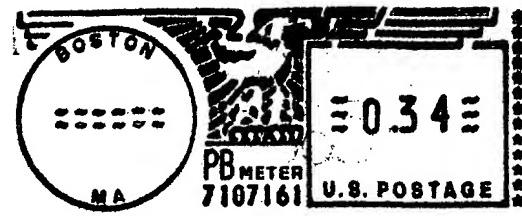
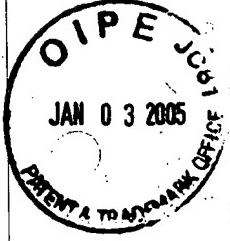
Patent Office received this submission. Applicant also submits herewith a clean copy of the formal drawings submitted on May 8, 2002.

REMARKS

Applicant believes no fee is due with this statement. However, if a fee is due, please charge our Deposit Account No. 12-0080, under Order No. MNI-056CPCN from which the undersigned is authorized to draw.

Dated: January 3, 2005

Respectfully submitted,
By _____
Debra J. Milasincic
Registration No.: 46,931
LAHIVE & COCKFIELD, LLP
28 State Street
Boston, Massachusetts 02109
(617) 227-7400
(617) 742-4214 (Fax)
Attorney For Applicant



NO POSTAGE STAMP NECESSARY
POSTAGE HAS BEEN PREPAID BY

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LAHIVE & COCKFIELD, LLP
28 STATE STREET
BOSTON, MA 02109

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LAHIVE & COCKFIELD
DOCKET

MAY 28 2002

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Office No. MNI-056CPCN

THE "RECEIVED" STAMP OF THE PATENT AND TRADEMARK OFFICE
IMPRINTED HEREON ACKNOWLEDGES THE FILING OF:

Description of Paper*: Transmittal Letter (1 page, in duplicate); Transmittal of Formal Drawings (2 pages, in duplicate); Thirteen (13) Sheets of Formal Drawings (Figures 1A-1G and 2A-2F); and this return postcard.

Title: *Novel Multidrug Resistance-Associated Polypeptide*

Name of Applicant: Andrew Shyjan

Serial No.: 09/528031

Attys: GAD/EAH/DJM



Date: May 8, 2002

*with Certificate of First Class Mailing

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LAHIVE
&
COCKFIELD

L L P

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 MARIA LACOTRIPE ZACHARAKIS, Ph.D
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 CRISTIN E. HOWLEY, Ph.D.

* Admitted in NY only
 ** Admitted in TX only

May 8, 2002

COPY

Commissioner for Patents
 Washington, D.C. 20231

Attn: Official Draftsman

Re: U.S. Patent Application Serial No. 09/528031
 Title: *Novel Multidrug Resistance-Associated Polypeptide*
 Filed: March 17, 2000
 Inventor: Andrew Shyjan
 Attorney Docket No. MNI-056CPCN

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

1. Transmittal of Formal Drawing (in duplicate);
2. Thirteen (13) Sheets of Formal Drawings (Figures 1A-1G and 2A-2F); and
3. Return postcard.

Please charge any necessary fees to our Deposit Account No. 12-0080. The undersigned requests any extensions of time necessary to respond. *A duplicate of this sheet is enclosed.*

Certificate of First Class Mailing (37 CFR 1.8(a))

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231. Attn: Official Draftsman on:

May 8, 2002

Date

Debra J. Milasincic, Esq., Reg. No. 46,931

Respectfully submitted,

LAHIVE & COCKFIELD, LLP

Debra J. Milasincic, Esq.
 Registration No. 46,931
 Attorney for Applicant

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

JAN 03 2005

In re the application of: Andrew Shyjan

Serial No.: 09/528031

Filed: March 17, 2000

For: *Novel Multidrug Resistance-Associated Polypeptide*

Attorney Docket No.: MNI-056CPCN

Group Art Unit: 1642

Examiner: B. Brumback

COPY

**Commissioner for Patents
Washington, D.C. 20231**

Attn: Official Draftsman

Certificate of First Class Mailing (37 CFR §1.8(a))

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, Attn: Official Draftsman on the date set forth below.

May 8, 2002
Date of Signature and of Mail Deposit

By: 
Debra J. Milasincic, Esq.
Registration No. 46,931
Attorney for Applicant

TRANSMITTAL OF FORMAL DRAWINGS

Dear Sir:

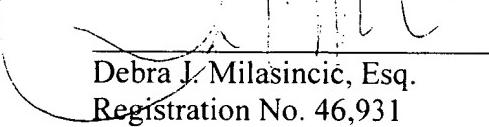
Transmitted herewith are thirteen (13) sheets of formal drawings (Figures 1A-1G and 2A-2F). Applicant respectfully submits that the formal drawings are in compliance with 37 C.F.R. 1.84. Applicant requests that the drawings be filed in the above-referenced patent application. No new matter has been added.

Please charge any fees in connection with this matter to Deposit Account No. 12-0080.

A duplicate is enclosed for this purpose.

Respectfully submitted,

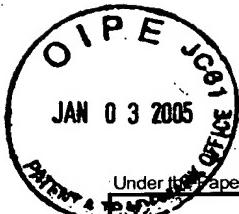
LAHIVE & COCKFIELD, LLP


Debra J. Milasincic, Esq.
Registration No. 46,931
Attorney for Applicant

COPY

28 State Street
Boston, MA 02109
(617) 227-7400

Date: May 8, 2002



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	09/528031-Conf. #3941
		Filing Date	March 17, 2000
		First Named Inventor	Andrew W. SHYJAN
		Art Unit	1642
		Examiner Name	S. J. Huff
Total Number of Pages in This Submission	21	Attorney Docket Number	MNI-056CPCN

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Copy of Submission of Formal Drawings dated May 8, 2002 including Figures 1A-G and 2A-F (18 pages)
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	Clean Copies of Formal Drawings 1A-G and 2A-F (13 pages)
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	Return Receipt Postcard
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	Remarks	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	LAHIVE & COCKFIELD, LLP		
Signature			
Printed name	Debra J. Milasincic		
Date	January 3, 2005	Reg. No.	46,931

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 465007922 US, in an envelope addressed to: MS Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: January 3, 2005

Signature:

(Debra J. Milasincic)